



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 46
Comm #: 53588-9704-56
BRRTS #: 03-57-150650
Site Name: McCarville Distributing Co Inc
Site Address: 456 Rainbow Rd, Spring Green, 53588
Site Manager: Hank Kuehling
Address: 3911 Fish Hatchery Rd
City, State Zip: Fitchburg, WI 53711-5367
Phone: 608-275-3286
e-mail: hank.kuehling@wisconsin.gov
Bid Manager: Alan A. Hopfensperger
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 266-0562
e-mail: Alan.Hopfensperger@Wisconsin.Gov

Bid-Start Date:	November 20, 2006
Questions must be received by (See Section 2 (B)):	December 04, 2006, 4:00 PM
Responses will be posted by (See Section 2 (B)):	December 22, 2006
Bid-End Date and Time:	January 05, 2007, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Action Legal-Madison, 1 E Main, Madison, WI 53703
Phone: (608) 663-1041 Fax: (608) 663-1045

SECTION 2 – Site-Specific Bid Requirements

General Comments:

The McCarville Distributing Company, Inc. property is located at 456 Rainbow Road on the east side of Spring Green, Sauk County. An initial site assessment was done in the area of the USTs east of the building in May 1997, and soil contaminants were found to be present. On June 1, 1998 three USTs were removed from the northern end of the eastern side of the warehouse building: a 10,000 gallon diesel fuel tank; a 2,000 gallon unleaded gasoline tank; and a 500 gallon waste oil tank. A 1,000 gallon fuel oil tank was also removed at this time from the east side of the building further south of the area of the other removed USTs.

Soils identified at the site consisted of fine to medium grained sand. Bedrock was not encountered but is estimated to be from 175 to 250 feet below ground surface (bgs). Depth to groundwater ranges from 11 to 16 feet, and flow is south toward the Wisconsin River.

For more details about site geology, the groundwater flow system, current site conditions regarding the degree and extent of soil and groundwater contamination, and other site information, please review the following documents:

“Leaking Underground Storage Tank Site Investigation Report, McCarville Distributing Company, Inc.”; dated May 15, 2000, by Environmental Compliance Consultants, Inc.

“Remedial Action Option Report and Remedial Action Plan, McCarville Distributing Company, Inc.”, dated May 15, 2000, by Environmental Compliance Consultants, Inc.

“Leaking Underground Storage Tank Update Report” (SIR update), dated November 27, 2000, by Environmental Compliance Consultants, Inc.

WDNR Case Summary and Close Out Form, received on July 3, 2003.

Semi-annual report, dated January 19, 2006, by METCO.

Semi-annual report, dated July 31, 2006, by METCO.

A Spring Green municipal well is located approximately 700 feet from this site to the southwest (424 feet deep with 175 feet of casing).

Twelve rounds of groundwater monitoring were conducted between August 1998 and June 2002 in the oldest monitoring wells and fewer rounds in the newer wells. Four rounds of groundwater monitoring were completed between August 2005 and May 2006. The May 2006 results from the most recent monitoring round include significant ch. NR 140, Wis. Adm. Code enforcement standard exceedances for various petroleum-related contaminants at the following monitoring wells: MW-1; MW-2; MW-4; MW-6; MW-8; and MW-10A

Two 6” diameter free product recovery wells were installed in the area of the former tanks. These wells were pumped on a bi-monthly basis between August 29, 2005 and June 29, 2006. In addition, free product was passively collected from the two free product recovery wells and MW-1 on a bi-weekly basis using absorbent socks and hand-bailing.

To reduce copy costs, DNR has provided to the listed copy shop only a portion of the July 31, 2006 semi-annual report, the most recent submittal for the site, and the case closure and close out form, received by DNR on July 3, 2003 from Environmental Compliance Consultants, Inc. Additional and useful site information, including those documents listed above, is contained in the case file at the DNR South Central Region office at 3911 Fish Hatchery Road, Fitchburg, WI, 53711. To view this file, contact Wendy Weihemuller at 608.275.3212.

Minimum Remedial Requirements:

Conduct groundwater sampling and analysis quarterly for eight rounds for all of the monitoring wells associated with this site: MW-1; MW-2; MW-3; MW-4; MW-5; MW-6; MW-7; MW-8; MW-9; PZ-1; MW-10A; MW-10B; MW-11A; and MW-11B. Analyze the groundwater samples for petroleum volatile organic compounds (PVOCs) including benzene, ethylbenzene, toluene, xylenes, trimethylbenzenes, and methyl tert-butyl ether, plus naphthalene.

Groundwater elevations, based on National Geodetic Survey data, must be measured in all monitoring wells in each monitoring round with the results to be included in tabular form in the reports required below. Groundwater flow maps, including flow direction and watertable contours, must be prepared for each sampling round and included in the required report.

Conduct twelve free-product pumping events two months apart with a vacuum truck, using the two free-product sump wells FPRW-1 and FPRW-2. During each pumping event, each sump well shall be pumped at least twice following recovery of the water/product column (a total of three pumpings per well per event) to within one foot of the pre-pump levels. Measure water levels and free-product thickness (using a product/water interface probe) in the two sump wells and in MW-1 prior to and immediately following the pumping event.

Conduct monthly free product measurement events and passive free product removal from MW-1. Include, in these events that occur in the months in which free-product pumping is not conducted, bi-monthly passive free product removal activities like bailing of free product or installation and removal of absorbent socks as necessary from the two sump wells.

The frequency and/or duration of the product pumping and the frequency of the site visits for passive product removal may be reduced if requested or approved by the WDNR project manager. However, the frequency of the pumping events, the follow-up measurements, and the free-product bailing shall be assumed to be for the full two year duration of the scope of work for the purposes of the bid.

The bid response must include costs for disposal of all waste for each activity; in this case, purge water, pumped water and product, and passively recovered product and absorbent socks. All waste barrels generated from site work activities must be labeled and placed in an inconspicuous place on the site and removed from the site within two weeks of each sampling round. The waste must be disposed of in accordance with s. NR 716.11(6), Wis. Adm. Code.

The consultant who contracts with the responsible party to conduct the activities described in this scope of work must contact the DNR project manager, currently Hank Kuehling, prior to beginning the activities of this scope of work.

In addition to the specific electronic reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site as listed below, the contracted consulting firm shall submit four semi-annual reports to the DNR project manager, and copy the Department of Commerce. The reports must include a table or tables of the groundwater quality data and water level measurement results obtained during the reporting period, along with all previously reported groundwater data. This report shall also include the results of the water level measurements and the groundwater flow direction and contour maps. The laboratory analytical report sheets for the reporting period must also be included.

The four semi-annual reports shall also include: a summary of the pumping events, for both the report period and for those periods previously reported since the beginning of pumping, including the amount of water/product pumped from each well; a table of the water levels and free-product thicknesses measured before and after each pumping event, including the monthly free-product measurements; and a summary for each well of the bailing of free product between pumping events. Include in the semi-annual reports a description of any other work activities completed in accordance with this bid.

The fourth semi-annual report shall also be a final summary report of all of the activities and results associated with the completed bid scope of work.

While this bid is not a bid to closure, there is a possibility of attaining closure at the conclusion of the scope of work (SOW) conducted under this bid. If closure is appropriate, a recommendation for closure should be provided in the final report mentioned above. If the WDNR project manager concurs with this recommendation, prepare and submit a complete closure report and GIS Registry packet (consistent with ch. NR 726, Wis. Adm. Code requirements) for closure consideration by the WDNR (and provide a copy to Commerce). For the purposes of the bid, bidders should include all closure-related costs (including, but not limited to final well abandonment costs, closure form and narrative, GIS packet, deed restriction and maintenance plan) in their bid total. Commerce will modify the bid cap for the closure-related contingency cost, per the cost provided on the 2nd page of the Bid Response.

Bidders shall provide line item costs for all the activities referenced above in the table provided on the 2nd Page of the Bid Response.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.

3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal:

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in

this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: McCarville Distributing Co Inc

COMMERCE #: 53588-9704-56

BRRTS #: 03-57-150650

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE
(2nd Page)

Department of Commerce PECFA Program

SITE NAME: McCarville Distributing Co Inc
COMMERCE #: 53588-9704-56
BRRTS #: 03-57-150650

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Monitoring (include analytical cost) per event	\$	
2	Number of Monitoring events		8
3	Monitoring Subtotal (Row 2 X Row 3)	\$	
4	Conduct bi-monthly free product/contaminated groundwater pumping events	\$	
5	Conduct monthly free product measurements and passive free product removal events that alternate with the pumping events	\$	
6	Documentation (reports, correspondence, etc.)	\$	
7	PECFA Claim Preparation		
8	Other (If necessary), specify	\$	
9	Bid Total	\$	
10	Contingency cost for all closure-related costs (lump sum), including but not limited to case summary and closeout form and report, GIS Registry requirements, appropriate notification to the public, and well abandonment costs (and includes per diem and mileage).	\$	